

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY)
AVERAGE WHOLESALE PRICE) MDL NO. 1456
LITIGATION)
THIS DOCUMENT RELATES TO:) ACTION: 01-CV-12257-PBS
THE MASTER CONSOLIDATED)
CLASS ACTION) JUDGE PATTI B. SARIS
) CHIEF MAGISTRATE JUDGE
) MARIANNE B. BOWLER
)

NOTICE OF FILING REPLY TO PLAINTIFFS' MEMORANDUM IN OPPOSITION TO
MOTION FOR PROTECTIVE ORDER

Defendants Boehringer Ingelheim Corporation (“BIC”), Ben Venue Laboratories, Inc. (“BVI”) and Bedford Laboratories (“Bedford”) (collectively “Defendants”) hereby notify the Court that they have filed a provisional Reply to Plaintiffs’ Memorandum in Opposition to Motion for Protective Order.

Defendants filed a Motion for Leave to File a Reply on April 30, 2004 and which indicated that Defendants would file their Reply by May 11, 2004. The Motion for Leave is still pending before this Court.

Defendants therefore have provisionally filed their Reply to Plaintiffs’ Memorandum in Opposition pending this Court’s decision on their Motion for Leave to File a Reply.

Dated: May 11, 2004

Respectfully submitted,

/s/ Paul J. Coval [signature on file with Court]

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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing document was served on all enrolled counsel via Verilaw on May 11, 2004 pursuant to this Court's Case Management Order 2.

/s/ Paul J. Coval [signature on file with Court]

Paul J. Coval